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MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON AUGUST 30, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 10:00 a.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: Orjiakor N. Isiogu, Chairman  
Monica Martinez, Commissioner  
Greg R. White, Commissioner

Staff: Sally Wallace  
Judy Palnau  
Mary Jo Kunkle  
Ryan McAnany

Public: Suzy Denison, MEGA  
Beverly Smith, AT&T  
B. K. Roberts, Consumers Energy  
John Gardner, Comcast  
Jerry Crandall, MIRS  
M.E. Wayman, DTE Energy  
Jim Padgett, DTE Energy

- I.** Commissioner Martinez moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The agenda was approved.

- II.** Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of August 10, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The minutes were approved.

### III. ORDERS

#### A. COMMUNICATIONS

1. U-14413 AT&T MICHIGAN AND TELNET WORLDWIDE, INC.  
U-16378 WALDRON TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16440 TELECOM MANAGEMENT, INC., d/b/a PIONEER LONG  
DISTANCE, AND AT&T MICHIGAN AND VARIOUS AT&T INC.  
OWNED COMPANIES (AT&T-22 STATE)  
(interconnection agreements and amendments)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which requests Commission approval of interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

2. U-16162 B&S TELECOM, INC. v MICHIGAN BELL TELEPHONE COMPANY,  
d/b/a AT&T MICHIGAN

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves a complaint alleging violations of the Michigan Telecommunications Act. The order before you grants the respondent's motion for summary adjudication, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

3. U-16181 COMMISSION'S OWN MOTION  
(video franchise compliance)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 to provide Pine River Cable Company an opportunity to show cause why it should not be found in violation of several provisions of the Uniform Video Services Local Franchise Act. The order before you finds Pine River Cable Company responsible for 13 violations of the Act and imposes appropriate sanctions, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

4. U-16250 COMMISSION’S OWN MOTION  
(arbitration and mediation rules)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves the promulgation of rules for the arbitration of interconnection agreements and the mediation of complaints. The order before you approves the revised rules for submission to the Legislative Service Bureau and the State Office of Administrative Hearings and Rules for their formal approvals, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**B. ELECTRIC**

1. U-13129 COMMISSION’S OWN MOTION  
(LIEEF - energy assistance)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves applications for energy assistance grants from the Low-Income and Energy Efficiency Fund. The order before you approves grants totaling \$55 million divided among eight applicants, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

2. U-13129 COMMISSION’S OWN MOTION  
(LIEEF - energy efficiency)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves applications for low income energy efficiency grants from the Low-Income and Energy Efficiency Fund. The order before you approves grants to provide conservation and energy efficiency measures targeted toward reducing the energy use and energy bills of low-income customers, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

3. U-15671-R GREAT LAKES ENERGY COOPERATIVE  
(’09 PSCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Great Lakes Energy Cooperative for a power supply cost recovery reconciliation proceeding and for a times interest earned ratio ratemaking mechanism review for the 12-month period ended December 31, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

4. U-15848 VILLAGE OF BARAGA  
U-15855 CITY OF CRYSTAL FALLS  
U-15861 CITY OF GLADSTONE ELECTRICAL DEPARTMENT  
U-15867 VILLAGE OF L’ANSE  
U-15872 CITY OF NEGAUNEE ELECTRIC DEPARTMENT  
U-15875 CITY OF NORWAY ELECTRIC DEPARTMENT  
(’10-’11 revised EO plans)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves applications for approval of revised 2010-2011 energy optimization plans to comply with the requirements of Public Act 295 of 2008. The order before

you approves the revised energy optimization plans, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

5. U-16199 COMMISSION’S OWN MOTION  
(energy optimization service providers)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves the establishment of an approval process for energy optimization service providers. The order approves the process set forth in Exhibit A attached to the order, allows for public comments on the preliminary code of conduct attached to the order as Exhibit B, and directs the Commission Staff to file a final code of conduct in 21 days from the issuance of this order, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

6. U-16247 CONSUMERS ENERGY COMPANY  
(true-up mechanism reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Consumers Energy Company to reconcile its uncollectibles expense true-up mechanism for the period of November 13, 2009 through December 31, 2009. The order before you defers reconciliation until the 2010 uncollectibles expense true-up mechanism reconciliation is filed on March 31, 2011, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

7. U-16296 CLARENCE BROWN v CONSUMERS ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves a complaint filed by Clarence Brown against Consumers Energy Company. The order before you dismisses the complaint, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

8. U-16306 EDISON SAULT ELECTRIC COMPANY  
(’09 EO plan reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Edison Sault Electric Company for authority to reconcile its energy optimization plan costs for the period ended December 31, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

9. U-16310 INDIANA MICHIGAN POWER COMPANY  
(EO plan reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application by Indiana Michigan Power Company for authority to reconcile its energy optimization plan revenues and payments for the period ended December 31, 2009. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

10. U-16383 THE DETROIT EDISON COMPANY  
(’09 uncollectable expense true-up mechanism)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by The Detroit Edison Company for approval of an uncollectible expense true-up mechanism for 2009. The order before you grants motions for summary disposition, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**C. GAS**

1. U-15622-R WISCONSIN PUBLIC SERVICE CORPORATION  
(’09 GCR reconciliation)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Wisconsin Public Service Corporation to reconcile its gas cost recovery revenues and expenses for the 12-month period ended October 31, 2009. The order before you approves a settlement agreement and authorizes the company to roll into its 2009-2010 gas cost recovery plan a net underrecovered amount of \$11,151, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

**PRESS RELEASE ISSUED**

2. U-16008 ATLAS GAS & OIL COMPANY, LLC  
(pipeline application dismissal)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which is an application for authority to construct and operate a pipeline. The order before you dismisses the application at the request of the applicant, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

3. U-16435 WELLMASTER EXPLORATION & PRODUCTION COMPANY, LLC  
(pipeline)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Wellmaster Exploration & Production Company, LLC, for authority to construct and operate the Alber Pipeline in Mecosta County. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

4. U-16436 SINCLAIR TRANSPORTATION COMPANY  
(pipeline)

Commissioner Martinez moved that the Commission adopt and issue order dated August 30, 2010 which involves an application filed by Sinclair Transportation Company for authority to construct and operate the Line 1-2H pipeline in Livingston County. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The order was adopted.

#### **IV. PUBLIC COMMENTS**

There were no public comments.

Chairman Isiogu announced that a press release was issued today noting the approaching deadline for low-income people to apply for Michigan's Home Heating Tax Credit.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on September 14, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.



Vote: Yeas – Isiogu, Martinez, White  
Nays – None

The motion was approved.

The meeting adjourned at 10:14 a.m.

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Mary Jo Kunkle  
Executive Secretary